

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, MAY 16, 2000

This meeting was preceded by a joint City Council/Planning Commission meeting at 6:00 p.m. Chair Parsons called the meeting to order at 8:22 p.m. at Twin Pines Senior and Community Center.

PRESENT, COMMISSIONERS: Peirona, Wiecha, Mathewson, Purcell, Petersen, Parsons

PRESENT, STAFF: Interim Community Development Director Macris, Principal Planner de Melo, City Attorney Savaree, Recording Secretary Wong

Chair Parsons introduced and welcomed Interim Community Development Director Macris.

AGENDA STUDY SESSION: None.

AGENDA AMENDMENTS: None.

COMMUNITY FORUM (Public Comments): None.

PUBLIC HEARINGS

Continued Public Hearing - 2101 Coronet Blvd.; To consider a side and rear yard setback variance and design review to allow 4'2" on the south side where 6' is required and 6' rear setback where 15' is required to allow an approximate 1,285 sq. ft. ground and second floor addition to an existing home (Appl. No. 99-1132); APN: 044-041-140; Zoning: R-1B; CEQA Status: Exempt; Oreste Cavallini (Applicant); Katherine Anderson (Owner)

Principal Planner de Melo presented the staff report recommending approval with conditions.

City Attorney Savaree added that a number of cities had been contacted to determine how they defined new construction, tear down, or remodel, and found that a lot of cities did not have a written definition. In Millbrae, if the foundation was left it was termed a remodel. In some cities, if it was decided at staff level, then a determination would be made based on the Uniform Building Code. Responding to Commissioner Peirona's question about the fee structure of remodels vs. teardowns, Principal Planner de Melo responded that he believed that the fees were based on the job valuation.

Chair Parsons opened the public hearing.

Oreste Cavallini, applicant and contractor, stated that 15 neighbors were contacted and all had signed a letter of support of the project or were in the audience and urged the Commission to vote in favor of the project as stated in the staff report.

Martin Semmler, 2122 Coronet Blvd., stated that he was in favor of the project.

Robert Benner, 2112 Coronet Blvd., supported the project.

Reiner and Mary Lenigk, 2103 Coronet Blvd., adjoining the subject property on the right side, did not see any problem with the 4'2" setback, believed it was almost impossible to build a home in the triangle,

and supported the proposal. He was also in favor of removing the chimney, felt that the property had been left alone for too long, and needed to be improved.

Al Bevington, 2106 Coronet Blvd., stated that he and his wife were in favor of the project.

MOTION: By Commissioner Mathewson, seconded by Commissioner Wiecha to close the public hearing. The motion passed.

Commissioner Peirona felt that, in view of the triangular shaped lot and since the project would not infringe on the neighbors, he was in favor of granting the variance. Commissioner Mathewson agreed and felt that he could make all the findings.

Responding to concerns about the grading required for the site, Principal Planner de Melo stated that the grading plan could be reviewed by the Public Works and Community Development Departments and if they were in agreement with the licensed civil engineer's assessment of the grading for the site, then the plan could be made available in the office for review by the Commissioners.

MOTION: By Commissioner Wiecha, seconded by Commissioner Peirona to approve Resolution No. 2000-24 approving a variance and design review at 2101 Coronet Boulevard:

AYES: Peirona, Wiecha, Mathewson, Purcell, Petersen, Parsons

Chair Parsons announced that the Commission's decision could be appealed to the City Council within 10 days.

Continued Public Hearing - 819 Miramar Terrace; To consider design review and floor area ratio exception to construct a ground floor and second story addition of approximately 1,403 sq. ft. to an existing 2,874 sq. ft. home. The proposed new total would be 4,277 sq. ft. where the maximum permitted is 3,500 sq. ft. The site is 16,813 sq. ft. in area and contains a 6.6% slope that permits a 0.533 floor area ratio (FAR). Without the Ordinance cap, the permitted floor area would be 8,961 sq. ft. The existing FAR is 0.171 and the proposed FAR is 0.254 (Appl. No. 00-1023); APN: 045-140-210; Zoned: R-1A; CEQA Status: Exempt; CJW Architecture (Applicant); Mr. and Mrs. David Hawley (Owners)

Commissioner Wiecha recused herself since her property was within 300' of the subject property and stepped down from the dais.

Principal Planner de Melo presented the staff report recommending approval and asked that the Commission review the FAR and view issues.

Carter Warr, project architect, noted that other communities did not count covered porches with equal weight as the floor area. He felt that if the porch was not counted, then the exception would be for 295 sq. ft. The project was designed to meet the needs of the owners, and stated that the porch was the feature that would provide a place for family and neighbors to gather and provide softening elements in the front of the house. The two-story feature was also important to the image that the owners wanted to achieve. He described discussions that were held with the neighbors on the left and right of the property, and felt that these two neighbors believed that the second story addition in the proposed location was better than what was currently there. Regarding the view from 824 Miramar Terrace, Mr. Warr explained that the view windows were approximately two ft. higher than the elevation from which

the pictures were taken, adding that the spaces that would be impacted by the proposed project were secondary spaces and not primary living spaces.

David Hawley, 2124 Coronet Blvd. and owner of the subject property, stated that the front-facing aspect of the house was important to allowing them to develop a good relationship with their neighbors. He detailed his discussions with neighbors on both sides of the street and felt that most of their concerns had been addressed in the current plans. He added that they planned to continue to look at the height issue as they went through the construction progress to make sure that the view of the East Bay hills was not lost for the neighbor across the street.

Commissioner Purcell had expressed concern about the location of the garage at the previous meeting, and suggested the possibility of moving the garage so that it was not directly straight ahead of the driveway as viewed from the street.

Mr. Hawley responded that the roofline came up to the same height as the neighboring garage and did not change the view from that perspective. He added that there was a provision to place an oak tree to soften the effect of the garage but care would need to be taken to avoid impacting Mr. Andrews' view of the bay with the final placement of the landscaping.

Chair Parsons opened the public hearing.

Warren Lieberman, 824 Miramar Ter., felt that the proposed plan to lower the roof line by one foot was a start, but he believed that some of his neighbors would lose some of their views of the bay if the proposed design was approved. He did not believe the photos were two ft. lower than the grade of the house. Contrary to Mr. Hawley's comment, he stated that his view of the bay was from his living room and a bedroom, and was a primary consideration when he bought the house. The view from the back was achieved only after he made a considerable investment to rehabilitate the back of the property. He believed there were alternatives so that he and other neighbors did not lose their views of the bay. He stated that, as far as he knew, the proposed design was developed without any input from neighbors and they were shown the new design only 11 days ago, after it had been submitted to staff. They were not able to discuss it with Mr. Hawley until five days prior to the meeting and never met with the architect. The neighbors' ideas for reducing the negative impact on the view corridors (i.e., changing the roof line, positioning the second story more toward the middle of the house, limiting the ceiling heights on both stories to eight ft. and reducing the steepness of the roof) were not included in the revised plans. He hoped the Commission would allow continuance of the process of collaboration between Mr. Hawley and his neighbors until a solution was found that worked well from all perspectives.

John Andes, 832 Miramar Ter., stated that he met with Mr. Hawley the previous Saturday, and then presented a picture showing that he would lose his entire view of Foster City if the project was built as proposed and if the second floor was moved as discussed. His entire view would remain if the proposed addition was built at the rear of the property.

Art Andrews, 816 Miramar Ter., stated that he and his wife felt that the Commission's requests from the last meeting had not been fulfilled. He agreed that the alternatives suggested by Mr. Lieberman should be considered. The pictures did not show the view from his kitchen or living room which was the only view he had from his house. He asked for postponement of a decision until there had been an on-going dialogue and all the avenues of possible closure had been explored.

Edward Ford, 811 Miramar Ter., stated that his view of the bay was lost 10 years previously by the construction of a two-story structure next to his back yard. He felt that giant trees were the only way to achieve privacy on Miramar Terrace.

Martin Semmler, 2122 Coronet Blvd., next door neighbors of the Hawley's at their current residence, stated that they had been more than accommodating to make him happy as a neighbor.

Elizabeth Wiecha, 860 Miramar Ter., noted that the Commission reviewed the current design review ordinance, noting that part of the design consideration was supposed to be preservation of the prominent ridge line in view corridors that were currently existing on the property or adjacent properties. She felt that there would be pretty much complete obliteration of the ridge line view of the East Bay Hills, Mt. Diablo and the Hayward Bridge if the design review was approved.

MOTION: By Commissioner Peirona, seconded by Commissioner Mathewson, to close the public hearing. The motion passed.

The Commission's comments included: could accept the rather large FAR exception assuming that they met with their neighbors and dealt with the finding relating to views; did not feel that there had been sufficient efforts made to reduce the impact; suggested hiping the roof, moving the addition to the south, or making minor modifications to the floor plan might reduce the FAR exception and hopefully the roofline; could not make findings #2 and #3; could make finding #2 since he did not feel that the project impacted the views or privacy of adjacent property owners; regarding the ridgeline, he was not sure how much additional work it would take to try to reduce the size of the second floor and to possibly do something with the garage so it was not like a tunnel but he thought they should strive for that; and there needed to be more flexibility and compromise in order to help the neighbors across the street.

Mr. Hawley stated that the one ft. reduction had been done before they realized there had been a miscalculation in the height of the poles and the overall reduction was three ft. The East Bay ridgeline was visible above the entire house from 824 Miramar Terrace and at the previous planning meeting it wasn't discussed to have a flat roof to try to reduce the height. The only one who expressed significant concerns to him directly was Warren Lieberman and he did spend extensive time with him. He apologized to the neighbors if he left the impression of being obstructive or uncooperative. Mr. Hawley said that they were anxious to move forward with the building process.

MOTION: By Commissioner Purcell, seconded by Commissioner Peirona to reopen and continue the public hearing to June 20, 2000:

AYES: Mathewson, Purcell, Petersen, Peirona, Parsons

At 10:10 p.m., Chair Parsons called for a recess. The meeting reconvened at 10:17 p.m. Commissioner Wiecha returned to the dias.

Public Hearing - 19 Somerset Ct.; To consider a conditional use permit to amend a detailed development plan to allow a 340 sq. ft. addition to an existing two-story home for a total of 3,127.7 sq. ft. of floor area where a maximum of 3,500 sq. ft. is allowed (Appl. No. 00-1025); APN: 045-472-280; Zoned: P.D.; CEQA Status: Exempt; Hayes Group (Applicant); Greg Ellis and Anne Le (Owners)

Principal Planner de Melo presented the staff report recommending approval. Chair Parsons opened the public hearing.

Ken Hayes, Hayes Group Architects, stated that the color of the house would be an earth tone and would include a new float coat in an interval colored smooth-finished snug plaster.

Principal Planner de Melo stated that the deck was not counted in the aggregate floor area for the home.

MOTION: By Commissioner Peirona, seconded by Commissioner Wiecha to close the public hearing. The motion passed.

MOTION: By Commissioner Mathewson, seconded by Commissioner Wiecha to approve Resolution No. 2000-25 approving a conditional use permit to amend a detailed development plan for a single-family residence at 19 Somerset Court:

AYES: Wiecha, Mathewson, Purcell, Petersen, Peirona, Parsons

Chair Parsons announced that the Commission's decision could be appealed to the City Council within 10 days.

Public Hearing - 587 Kingston Rd.; To consider a floor area ratio (FAR) exception and design review to allow a 1,057 sq. ft. first and second-story addition to an existing single-story home for a total of approximately 3,621 sq. ft. of floor area where a maximum of 3,500 sq. ft. is allowed (Appl. No. 00-1009); APN: 044-195-080; Zoned: R-1A; CEQA Status: Exempt; Hunt Hale Jones (Applicant); Otto Zielke (Owner)

Principal Planner de Melo presented the staff report recommending approval.

Dan Hale, project architect, said that he did not believe anybody's views would be impacted by the second-story element of the project.

Chair Parsons opened the public hearing.

MOTION: By Commissioner Mathewson, seconded by Commissioner Purcell to close the public hearing. The motion passed.

MOTION: By Commissioner Wiecha, seconded by Commissioner Peirona to approve Resolution No. 2000-26 approving a design review and floor area ratio exception at 587 Kingston Road:

AYES: Mathewson, Purcell, Petersen, Peirona, Wiecha, Parsons

Chair Parsons announced that the Commission's decision could be appealed to the City Council within 10 days.

Public Hearing - 2034 Mezes Av.; To consider a design review to allow a 698 sq. ft. addition to an existing single-story home for a total of approximately 2,531 sq. ft. where a maximum of 3,500 sq. ft. is allowed (Appl. No. 00-1033); APN: 044-061-100; Zoned: R-1B; CEQA Status: Exempt; Jim and Emily Scheinman (Applicants/Owners)

Principal Planner de Melo presented the staff report recommending approval. He added that the applicant had received four letters of support from adjacent neighbors which were distributed to the Commission.

In response to Chair Parsons, Fred Strathdee, project architect, replied that the rear yard was graded some time ago for a patio and lawn area, and, at the worst case, there would be a grade climb of about three to six ft. for the extension of the house.

Jan Hughes, 2027 Mezes Av., supported the proposed project.

MOTION: By Commissioner Purcell, seconded by Commissioner Mathewson to close the public hearing. The motion passed.

Chair Parsons expressed his concern about drainage and wanted to be sure they had dealt with that on the side of the house so that the neighbors would not be impacted.

MOTION: By Commissioner Wiecha, seconded by Commissioner Mathewson to approve Resolution No. 2000-27 approving design review for a single-family residence at 2034 Mezes Avenue:

AYES: Purcell, Petersen, Peirona, Wiecha, Mathewson, Parsons

Chair Parsons announced that the Commission's decision could be appealed to the City Council within 10 days.

Public Hearing - 700 Island Parkway (Autobahn Motors); To consider a conditional use permit to amend a detailed development plan to allow a 391 sq. ft. addition to an existing 49,126 sq. ft. building (Appl. No. 00-1032); APN: 040-360-400; Zoned: P.D.; CEQA Status: Exempt; WHL Architects (Applicant); Autobahn Motors (Owner)

Principal Planner de Melo presented the staff report recommending approval with conditions. Chair Parsons opened the public hearing.

David Luken, WHL Architects, stated that this project was the first part of the owner's plans for future expansion.

MOTION: By Commissioner Peirona, seconded by Commissioner Petersen to close the public hearing. The motion passed.

MOTION: By Commissioner Peirona, seconded by Commissioner Petersen to approve Resolution No. 2000-28 approving a conditional use permit to allow a building addition to an existing automobile sales and service facility at 700 Island Parkway:

AYES: Petersen, Peirona, Wiecha, Mathewson, Purcell, Parsons

Chair Parsons announced that the Commission's decision could be appealed to the City Council within 10 days.

REPORTS, STUDIES, UPDATES, AND COMMENTS REPORTS, STUDIES, UPDATES, AND COMMENTS

Regarding the May 23, 2000 Council meeting, Commissioner Mathewson stated that he would not be able to attend as liaison and Commissioner Purcell stated that she would attend. Chair Parsons and Commissioner Purcell asked that they be informed ahead of time of planning items on the Council's agenda that might be of concern to any Council member. Principal Planner de Melo noted that there was a request for an encroachment permit for the retaining walls at 2652 Belmont Canyon Road, and

the bid for the retaining wall for the Village Center would be on the May 23 meeting. City Attorney Savaree stated that at the last staff meeting it was decided to include conditions of approval in Council packets. Commissioner Peirona asked that Council comments directed to the Planning Commission be put in writing and included in their packets. Chair Parsons added that he and Commissioner Mathewson met with Public Works Director Curtis regarding how the Blockbuster wall would interface with the existing ramp coming off of the Blockbuster building on Ralston. Chair Parsons felt that the plan for the walls needed to be on paper so that the Commission could review them. He added that no one had taken the lead on landscaping along El Camino in front of Blockbuster, and that the trees that were approved as part of the percentage of landscaping had not been installed. It now appeared that there would be no landscaping there. Principal Planner de Melo stated that staff would look into the landscaping issues.

Regarding the Holiday Inn Express signage and landscaping, Chair Parsons noted that there had been discussion that when they got their easement for signage from CalTrans that there would be additional redwood trees placed in the island behind the plums. He stated, even though it was not in the original conditions of approval, the property owners were agreeable to doing that, and that perhaps there were City-owned trees that could be moved to that site. Principal Planner de Melo stated that staff would follow up on the matter.

Commissioner Wiecha expressed concern about the appearance of the seven to 10 ft.-wide cobblestone median at the south end of the grade separation project. She requested that staff check to see if it conformed to the original plans and Principal Planner de Melo agreed to discuss it at the next regular department head meeting.

Responding to Principal Planner de Melo's suggestion that the first meeting in July be rescheduled, as it would normally fall on the July 4th holiday, the Commission agreed to meet on Wednesday July 5th.

The meeting adjourned at 11:07 p.m. to meet for a regular meeting on June 6, 2000.

Marjorie W. Macris, AICP

Interim Planning Commission Secretary